

Notice of Allowability

Application No.

10/069,461

Examiner

R. Alexander Smith

Applicant(s)

TREEN ET AL.

Art Unit

2859

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to telephonic conversations on June 30, 2004.
2. ☒ The allowed claim(s) is/are 2-22.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

2. Authorization for this examiner's amendment was given in telephonic interviews with Mr. Paul Bowen on June 30, 2004.

3. The application has been amended as follows:

Claim 19 has been replaced with the following:

19. A flexible pressure indicator, wherein the pressure indicator comprises:

- a flexible display diaphragm, and,
- a flexible indicator diaphragm bearing a recognizable configuration or pattern, wherein said display diaphragm and said indicator diaphragm, respectively, form first and second opposing outer surfaces of said pressure indicator, said diaphragms forming a compartment within said indicator, and wherein each of the outer surfaces of the pressure indicator is structured, in response to change in pressure, to cause relative movement between the diaphragms such that, at a certain degree of compression, the pattern or configuration on the indicator diaphragm becomes visible through the display diaphragm.

Art Unit: 2859

Claim 23 has been replaced with the following:

23. A pressure indicator comprising:

a display diaphragm; and

an indicator diaphragm, said indicator diaphragm coupled to and in communication with the display diaphragm, wherein the display diaphragm comprises a compressible lenticular material and the indicator diaphragm bears a recognizable configuration or pattern, and wherein a change in pressure applied to at least one of said diaphragms causes relative movement between the diaphragms, thereby compressing the lenticular shape of said lenticular material to change the diffractive and reflective properties of the display diaphragm, thus causing an image of said recognizable configuration or pattern to be externally visible through said display diaphragm.

Drawings:

The following changes to the drawings have been approved by the examiner and agreed upon by applicant. The proposed drawing changes submitted on July 1, 2003 are approved.

Since the examiner could not find a scanned image of these proposed drawing changes in the IFW, the examiner requested from Mr. Bowen a copy of said proposed drawing changes submitted on July 1, 2003. This copy is attached and signed by the examiner as approved.

In order to avoid abandonment of the application, applicant must make these above agreed upon drawing changes.

Reasons for Allowance

4. The following is an examiner's statement of reasons for allowance of claims 2-23:

For independent claim 19, the prior art of record does not disclose or clearly suggest a pressure indicator having a flexible display diaphragm and a flexible indicator diaphragm wherein each of the outer surfaces of the pressure indicator is structured, in response to change in pressure, to cause relative movement between the diaphragms such that the pattern or configuration on the indicator diaphragm becomes visible through the display diaphragm in combination with the remaining limitations of the claim.

Claims 1-18 and 20-22 are allowed due to their dependency on allowed claim 19.

For independent claim 23, the prior art of record does not disclose or clearly suggest a pressure indicator having a display diaphragm and an indicator diaphragm wherein the display diaphragm comprises a compressible lenticular material, wherein a change in pressure causes relative movement between the diaphragms thereby compressing the lenticular shape to change the diffractive and reflective properties of the display diaphragm in combination with the remaining limitations of the claim.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Art Unit: 2859

Conclusion

5. During the week of June 21, 2004, Examiner Smith and Mr. Bowen held a few telephonic conversations in order to see if agreement could be reached with respect to claim language and allowability. Examiner Smith thanks Mr. Bowen for his assistance.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to R. Alexander Smith whose telephone number is 571-272-2251. The examiner can normally be reached on Monday through Friday from 9:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Diego F. Gutierrez can be reached on 571-272-2245. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Diego Gutierrez
Supervisory Patent Examiner
Technology Center 2800

RAS
June 30, 2004

**CHRISTOPHER W. FULTON
PRIMARY EXAMINER**